

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

ZOHO CORPORATION, §  
Plaintiff, §  
v. § Civil Action No. 1:22-CV-00037-ADA  
LIBERTY PEAK VENTURES, LLC, §  
Defendant. §  
  
LIBERTY PEAK VENTURES, LLC, §  
Counterclaimant, §  
v. §  
ZOHO CORPORATION, §  
Counter-Defendant, §  
and §  
ZOHO CORPORATION PVT. LTD. §  
Third-Party Defendant. §

**SCHEDULING ORDER**

<b>Deadline</b>	<b>Item</b>
06/30/23	<p>Parties submit Joint Claim Construction Statement and email the law clerks an editable copy.</p> <p><i>See OGP<sup>1</sup> General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).</i></p>
08/02/23	<p>Parties to jointly email the law clerks (<i>see OGP at 1</i>) to confirm their <i>Markman</i> date and to notify if any venue or jurisdictional motions remain unripe for resolution.</p>
08/18/23	<p>Parties submit optional technical tutorials to the Court and technical advisor (if appointed).</p>
08/30/23 (or as soon as practicable) <sup>2</sup>	<p><i>Markman</i> Hearing at 9:00 a.m. This date is a placeholder and the Court may adjust this date as the <i>Markman</i> hearing approaches.</p>
08/31/23	<p>Fact Discovery opens; deadline to serve Initial Disclosures per Rule 26(a).</p>
10/11/23	<p>Deadline to add parties.</p>
10/25/23	<p>Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to infringement or invalidity contentions. This deadline does not relieve the parties of their obligation to seasonably amend if new information is identified after initial contentions.</p>
12/20/23	<p>Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)</p>
02/28/24	<p>Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's law clerk to arrange a teleconference with the Court to resolve the disputed issues.</p>
03/27/24	<p>Close of Fact Discovery.</p>
04/03/24	<p>Opening Expert Reports.</p>
05/01/24	<p>Rebuttal Expert Reports.</p>
05/22/24	<p>Close of Expert Discovery.</p>
05/29/24	<p>Deadline for the second of two meet and confers to discuss narrowing</p>

<sup>1</sup> Standing Order Governing Proceedings (“OGP”) 4.3 signed April 4, 2023.

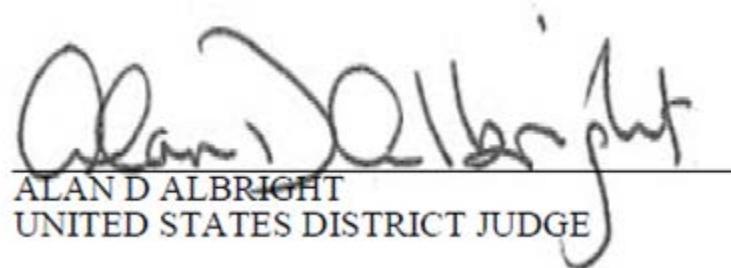
<sup>2</sup> All deadlines hereafter follow the original *Markman* hearing date and do not change if the Court delays the *Markman* hearing.

	the number of claims asserted and prior art references at issue to triable limits. If it helps the parties determine these limits, the parties are encouraged to contact the Court's law clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.
06/05/24	Dispositive motion deadline and <i>Daubert</i> motion deadline.  <i>See General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).</i>
06/19/24	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, deposition designations).
07/03/24	Serve objections to pretrial disclosures/rebuttal disclosures.
07/03/24 (8 weeks before trial)	Parties to jointly email the Court's law clerk ( <i>See OGP at 1</i> ) to confirm their pretrial conference and trial dates.
07/10/24	Serve objections to rebuttal disclosures; file Motions <i>in limine</i> .
07/17/24	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, deposition designations); file oppositions to motions <i>in limine</i> .
07/24/24	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and email the Court Reporter, Kristie Davis at <a href="mailto:kmdaviscsr@yahoo.com">kmdaviscsr@yahoo.com</a>  Deadline to file replies to motions <i>in limine</i> .
07/31/24	Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> .
08/02/24 (3 business days before Final Pretrial Conference)	File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .
08/07/24 9:00 AM	Final Pretrial Conference. Held in person unless otherwise requested.
08/28/24 9:30 AM <sup>3</sup>	Jury Selection/Trial.

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<sup>3</sup> If the actual trial date materially differs from the Court's default schedule, the Court will consider reasonable amendments to the case schedule post-*Markman* that are consistent with the Court's default deadlines in light of the actual trial date.

SIGNED this 28th day of June, 2023.



The image shows a handwritten signature in black ink, which appears to read "Alan D. Albright". Below the signature, there is a printed name and title: "ALAN D ALBRIGHT" and "UNITED STATES DISTRICT JUDGE" on separate lines, all in a black sans-serif font.

ALAN D ALBRIGHT  
UNITED STATES DISTRICT JUDGE